

Agreement does an excellent job of meeting both objectives. For all the reasons I have outlined today, I supported the free-trade agreement when it was in the Finance Committee, and I will support it on the floor of the Senate. I urge my colleagues to do the same.

MORNING BUSINESS

Mr. SALAZAR. Mr. President, I ask unanimous consent that there be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

NOMINATIONS

Mr. LEAHY. Mr. President, as the Senate begins its final work period of the year, I want to thank those members of the Judiciary Committee who have been working so hard throughout this year in helping us fulfill our duties with respect to nominations.

Given the work of the Senators serving on the Judiciary Committee, the Senate is in position to confirm 40 judicial nominees for lifetime appointments to the Federal bench this year, including 6 more of this President's circuit court nominees.

The Senate has already acted to confirm 36 lifetime judicial appointments. Remaining on the Senate Executive calendar are the nominations of John Daniel Tinder to the Court of Appeals for the Seventh Circuit, Amul R. Thapar to the Eastern District of Kentucky, Joseph Normand Laplante to the District of New Hampshire, and Thomas D. Schroeder to the Middle District of North Carolina. When they are confirmed, and with the cooperation of Senators they can be confirmed this month, we will have exceeded the yearly total in each of the last 3 years when a Republican majority managed the Senate and the consideration of this Republican President's nominations. Indeed, we are proceeding on vacancies before they arise in some cases.

When we conclude our work on judicial nominations this year, we will have exceeded the totals in 2004, 2005, or 2006 when a Republican-led Senate was considering this President's nominees. We are exceeding the totals confirmed in 1996, 1997, 1999 and 2000, when a Republican-led Senate was considering President Clinton's nominees. We are even exceeding the totals in 1989 and 1993 when a Democratic-led Senate was considering President Clinton's nominees. This year's total will be almost two dozen more confirmations than were achieved during the 1996 session when Republicans refused to proceed to confirm any of President Clinton's circuit court nominations.

We continue to make progress on circuit court nominations. The six circuit court nominees confirmed this year matches the total circuit court con-

firmations for 2001. We will have exceeded the circuit court totals achieved in 2004 when a Republican-led Senate was considering this President's circuit nominees; in 1983, when a Republican-led Senate was considering President Reagan's nominees; in 1993, when a Democratic-led Senate was considering President Clinton's nominees; and, of course, the 1996 session during which a Republican-led Senate did not confirm a single one of President Clinton's circuit nominees the entire session.

It is a little known fact that during the Bush Presidency, more circuit judges, more district judges—more total judges—were confirmed in the first 24 months that I served as Judiciary chairman than during the 2-year tenures of either of the two Republican chairmen working with Republican Senate majorities.

I continue to try to find ways to make progress. Last month, I sent the President a letter urging him to work with me, Senator SPECTER, and home State Senators to send us more well-qualified, consensus nominations. To reward me for reaching out again and extending the olive branch to him, this President responded not by replying to my letter but by a much ballyhooed partisan speech before the Federal Society annual dinner.

I have been concerned that several recent nominations seem to be part of an effort to pick political fights rather than judges to fill vacancies. For example, President Bush nominated Duncan Getchell to one of Virginia's Fourth Circuit vacancies over the objections of both respected Virginia Senators, one a Republican and one a Democrat. They had submitted a list of five recommended nominations, and specifically warned the White House not to nominate Mr. Getchell.

In addition, we have succeeded in dramatically lowering vacancies and, in particular, circuit vacancies. We have helped cut the circuit vacancies from a high water mark of 32 in the early days of this administration to as low as 13 this year. Contrast that with the Republican-led Senate's lack of action on President Clinton's moderate and qualified nominees that resulted in increasing circuit vacancies during the Clinton years from 17 when he was inaugurated to 26 at the end of his term. During those years, the Republican-led Senate engaged in strenuous and successful efforts under the radar to keep circuit judgeships vacant in anticipation of a Republican President. More than 60 percent of current circuit court judges were appointed by Republican Presidents, with the current President having appointed more than 30 percent of the active circuit judges already.

Of the remaining vacancies, 20—more than one-third—have no nominee. Of the 17 vacancies deemed by the Administrative Office to be judicial emergencies, the President has yet to send us nominees for 8, nearly half of them. Of the 14 circuit court vacancies, 4—

about one-third—are without a nominee. If the President would work with the Senators from Michigan, Rhode Island, Maryland, California, New Jersey, and Virginia, we could be in position to make even more progress.

Of the vacancies without any nominee, the President has violated the timeline he set for himself at least 12 times—12 have been vacant without so much as a nominee for more than 180 days. The number of violations may in fact be much higher since the President said he would nominate within 180 days of receiving notice that there would be a vacancy or intended retirement rather than from the vacancy itself. We conservatively estimate that he also violated his own rule 13 times in connection with the nominations he has made. That would mean that with respect to approximately 46 vacancies, the President is out of compliance with his own rule more than half of the time.

So I thank the members of the Judiciary Committee for their hard work considering these important nominations. I thank especially those Senators who have given generously of their time to chair confirmation hearings throughout the year.

ROADRUNNER COMPUTER

Mr. DOMENICI. Mr. President, today's Washington Post Science section contains an excellent summary on the work America is doing to develop the fastest computers in the world and the benefits to all of us from such computers.

The headline on the story, "Faster Computers Accelerate Pace of Discovery," captures today and hints at tomorrow for science, using computers that have processing speeds of more than a thousand trillion calculations per second. That speed is known as a petaflop, in computer science speak.

I am proud that the first petaflop computer in the world is likely to be at Los Alamos National Laboratory in my home State of New Mexico. Working in conjunction with IBM, LANL's "Roadrunner" computer holds out the promise of immense advances in almost every aspect of scientific inquiry.

In the area of nuclear weapons, for example, computing power increases are critical. Two decades ago, this Nation decided to stop underground testing of nuclear weapons. Yet the necessity of certifying the reliability and performance of our nuclear stockpile remains. How could we do away with underground testing and still have the three weapons lab directors certify to the President that our weapons were safe and reliable. We decided to adopt a program called Science-Based Stockpile Stewardship. Essentially, we decided to simulate a nuclear weapons explosion using computer power. Clearly, America needed more computing power when we made this decision. "Roadrunner" is an important step toward making sure that our nuclear stockpile will work if ever needed.